



**U.S. ELECTION ASSISTANCE COMMISSION**  
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## **VOTER IDENTIFICATION: High, Maybe Impossible Hurdle for Thousands in Indiana**

By Commissioner Gracia Hillman, U.S. Election Assistance Commission

**Washington, DC – May 6, 2008:** Today is an important day for the voters of Indiana. They will add crucial numbers to the Democratic presidential primary and high turnout is expected. It is the first election in Indiana since the U.S. Supreme Court issued its controversial decision to uphold the state's requirement that voters must show government issued photo identification at the polls. Today thousands of citizens, perhaps as many as one percent of Indiana's voting age population, will be disenfranchised once again.

Georgia has an equally restrictive voter identification requirement but it is the Indiana law that ended up at the Supreme Court, so that is the one I am commenting on.

Indiana should protect its elections from voting fraud, which have involved absentee ballots. However, these shenanigans are perpetrated by groups that have vested interests in the outcome of elections. They have the resources to manipulate the system. It is unjustly punitive to put the burden of responsibility on individual voters.

During the early stages of this court case, the Federal District Court for the Southern District of Indiana found that in 2005, approximately 43,000 voting age residents lacked a state-issued driver's license or identification card. The people and groups involved in the court case concede that the overwhelming majority were eligible voters. That is about one percent of the state's voting age population. It is equivalent to any one of 38 cities or towns that Indiana classifies as having large populations.

Those who are eligible to vote and least likely to have the requisite identification are poor, elderly and/or disabled. They have been able to live their lives without the need for such identification but that has changed if they want to vote at the polls. To obtain the required "free" identification, you must have a birth certificate and other forms of identity that require a birth certificate in the first instance. There are narrow exceptions, but without a birth certificate, proof of identity gets quite complicated.

To get a birth certificate, it will cost \$10.00 if you were born in Indiana and could take up to four weeks. If you were born in another state, it will cost between \$7.00 and \$42.50, plus postage and handling charges. The wait period can be up to 12 weeks.

The Federal District Court and now the Supreme Court found that the burden on voters is offset by the benefit of reducing the risk of fraud, even though the state admits that in-person fraud has not happened in Indiana. Additionally, I cannot find any evidence that in all of Indiana's history of voting, anything remotely near 43,000 voters have committed any kind of voting fraud.

It is helpful to put voting in context with Indiana's identification requirements for other permits and licenses.

Under the National Voter Registration and Help America Vote acts, citizens can use the federal voter registration form. Individuals can access the form from the Internet at [www.eac.gov](http://www.eac.gov), or request that it be mailed to them. Indiana's voter registration application might be more readily available, especially to those who don't have easy access to the Internet. In either case, voters must provide a driver's license number or the last four digits of their social security number and documentation that confirms their name and address.

Whichever way the voter registers, government issued photo identification is required at the polls in Indiana. The state's 2008 First Time Voters Guide notes that "...Indiana Driver's License or State ID card may meet both the photo ID requirement and the additional documentation requirement if it fulfills unique requirements for each." The unique requirements are not easily discerned. Without the required identification, a voter can cast a provisional ballot but must appear in person at the election office with the required credential. Otherwise, the vote will not be counted.

For comparison, I looked at Indiana's requirements for marriage licenses and gun permits. To obtain a marriage license, you must show up in person and pay a fee, but you do not need government issued photo identification. Background checks are required to purchase a gun but a license is not needed to own one. In some cases, you need a permit to carry a hand gun but you do not need a permit to possess a gun. I did not see any requirement for government issued photo identification.

Twenty-three (23) other states require voter identification at the polls but the requirements are far less burdensome. The remaining states use technology, redundant signature or other voter verification and trained staff to reduce the risk of fraud.

The voter problem we need to fix in America is low turnout. In November 2000 and 2004, voter turnout nationally averaged 58 percent of those eligible. In Indiana, turnout averaged 56 percent. We expect turnout to be higher this year but the U.S. Supreme Court's decision does nothing to encourage voter participation in Indiana. Rather, it reaffirms a very real burden on citizens whose lives are already challenging. As a result, we may never know how many thousands of Indianans will be discouraged by the process and won't exercise their right to vote.

How did we get back to a time in America when it is acceptable to knowingly disenfranchise our citizens? I applaud Indiana's quest for a perfected Democracy but the state can do better on behalf of the thousands of its citizens who have been kicked to the curb.

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